IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

WEDNESDAY, THE 21ST FEBRUARY 2007 / 2ND PHALGUNA 1928

Bail Appl..No. 1019 of 2007

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CRIME NO.8/2007 of J.M.F.C-I,SULTHANBATHERY

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PETITIONER/ACCUSED

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C.K.PADMANABHAN, S/O.KESAVAN CHETTY,
CHUNDAPADI HOUSE, KALLUMUKKU, NOOLPUZHA,
SULTHAN BATHERY.

BY ADV. SRI.JIJO PAUL

RESPONDENTS: STATE

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THE STATE OF KERALA,
REPRESENTED BY THE EXCISE INSPECTOR,
SULTHAN BATHERY EXCISE RANGE - THROUGH
THE PUBLIC PROSECUTOR, HIGH COURT OF KERALA,
ERNAKULAM, KOCHI-31.

BY PUBLIC PROSECUTOR JAI GEORGE

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 21/02/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

**V.RAMKUMAR, J.**

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Bail Application No. 1019/2007 (B)

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Dated this 21st day of February, 2007

**O R D E R**

In this Petition filed under Sec. 439 Cr.P.C. the petitioner, who is the sole accused in C.R. No.8/2007 of Sulthan Bathery Excise Range for an offence punishable under Section 55(a) of the Abkari Act for having been found in possession of 3 liters of illicit arrack, seeks his enlargement on bail. Petitioner was arrested on 6.2.2007.

2. I heard the learned counsel for the petitioner and the learned Public Prosecutor.

3. Having regard to the nature of the offence and the other circumstances of the case, I am inclined to grant bail to the petitioner, but only from a future date. Accordingly, the petitioner is directed to be released on bail with effect from 6.3.2007, on his executing a bond for Rs. 20,000/- (Rupees twenty thousand only) with two solvent sureties each for the like amount to the satisfaction of the J.F.C.M.-I, Sulthan Bathery, and subject to the following conditions:

(a). Petitioner shall report before the Investigating Officer between 9 a.m. and 11 a.m. on all Wednesdays.

(b). The petitioner shall make himself available for interrogation as and when required by the police till the filing of the final report.

(c). The petitioner shall not influence or intimidate the prosecution witnesses nor shall he attempt to tamper with the evidence for the prosecution.

(d). The petitioner shall not commit any offence while on bail.

4. If the petitioner commits breach of any of the above conditions, the bail granted to him shall be liable to be cancelled.

The application is allowed as above.

**V.RAMKUMAR,**
**JUDGE**

mrcs